

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Danielle Marie Weitzzel v. Officer B. Johnson, et al.

Weitzzel v. Johnson · No. 2:24-cv-2999 CSK P · Decided May 1, 2025

SUMMARY

The court recommends dismissing the action without prejudice after the plaintiff failed to file an amended complaint or otherwise respond to the court’s prior dismissal order. The order also directs the clerk to assign a district judge and advises the plaintiff of the fourteen-day period for filing objections.

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 DANIELLE MARIE WEITZTEL, No. 2:24-cv-2999 CSK P 12 Plaintiff, 13
v. ORDER AND FINDINGS & RECOMMENDATIONS 14 OFFICER B. JOHNSON, et al., 15
Defendants. 16 17 By order filed March 24, 2025, plaintiff’s complaint was dismissed and thirty
days leave 18 to file an amended complaint was granted.

Thirty days from that date have now passed, and 19 plaintiff has not filed an amended complaint,
or otherwise responded to the Court’s order. 20 Although it appears from the file that plaintiff’s
copy of the order was returned, plaintiff 21 was properly served. It is the plaintiff’s responsibility
to keep the Court apprised of his current 22 address at all times.

Pursuant to Local Rule 182(f), service of documents at the record address of 23 the party is fully
effective. 24 In accordance with the above, IT IS HEREBY ORDERED that the Clerk of the Court
is 25 directed to assign a district judge to this case; and 26 IT IS RECOMMENDED that this
action be dismissed without prejudice. See Local Rule 27 110; Fed. R. Civ. P. 41(b).

28 ///] These findings and recommendations are submitted to the United States District Judge 2 ||
assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days 3 ||
after being served with these findings and recommendations, plaintiff may file written objections
4 || with the court and serve a copy on all parties. Such a document should be captioned 5 ||
“Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that 6 ||
failure to file objections within the specified time may waive the right to appeal the District 7 ||
Court’s order.

Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991). 8 9 || Dated: May 1, 2025 4 aA 10 Aan Spe | CHI
SOO KIM M UNITED STATES MAGISTRATE JUDGE 12 | srweiz2999.Fa 13 14 15 16 17 18

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